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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
9 SAN JOSE DIVISION  
10

11 UNITED STATES OF AMERICA, )  
12 Plaintiff, )  
13 v. )  
14 JOSE EZEQUIEL MONROY, )  
15 Defendant. )  
16 \_\_\_\_\_ )

No. CR 11-00656 LHK

**STIPULATION TO CONTINUE  
STATUS HEARING TO MAY 2, 2012;  
[PROPOSED] ORDER**

HONORABLE LUCY H. KOH

17  
18 **STIPULATION**

19 Defendant and the government, through their respective counsel, subject to the court's  
20 approval, hereby stipulate that the Court continue the status hearing in the above-captioned  
21 matter, presently scheduled for, March 28, 2012 at 9:00 a.m., to May 2, 2012, at 10:00 a.m. The  
22 reason for the stipulation is as follows. Counsel for Mr. Monroy needs additional time to  
23 complete the investigation suggested by his discussions with his client and needs additional time  
24 to discuss with the assistance an interpreter the plea offer recently extended by the government.

25 The parties further agree and stipulate that time should be excluded from and including  
26 March 28, 2012, through and including May 2, 2012, to provide counsel reasonable time to

Stipulation to Continue Status Hearing;  
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1 prepare, pursuant to Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A) and (B)(iv). Accordingly,  
2 the United States and the defendant agree that granting the requested exclusion of time will serve  
3 the interest of justice and outweigh the interest of the public and defendant in a speedy trial.

4 Dated: March 26, 2012

5 \_\_\_\_\_/s/  
6 MANUEL ARAUJO  
7 Assistant Federal Public Defender

8 Dated: March 26, 2012

9 \_\_\_\_\_/s/  
10 DANIEL KALEBA  
11 Assistant United States Attorney

12 ~~PROPOSED~~ ORDER

13 Good cause appearing and by stipulation of the parties, it is hereby ordered that the status  
14 conference hearing in the above-captioned matter is continued from March 28, 2012, at 9:00  
15 a.m., to May 2, 2012, at 9:00 a.m. It is further ordered that the period of delay from March 28,  
16 2012, through and including May 2, 2012, be excluded for purposes of Speedy Trial Act  
17 computations pursuant to Title 18, United States Code, Sections 3161(h)(7)(A) and  
18 3161(h)(7)(B)(iv).

19 Dated: 3/27/12

20 Lucy H. Koh  
21 HONORABLE LUCY H. KOH  
22 United States District Judge

23 Finding based on defense counsel's ongoing  
24 investigation + thus need for <sup>reasonable</sup> time for effective  
25 preparation, taking into account the exercise  
26 of due diligence. Lucy H. Koh